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TRANSMITTAL FORM

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Total Number of Pages in This Submission 3

Application Number	10/695,291
Filing Date	October 28, 2003
First Named Inventor	Hua Tang
Art Unit	1617
Examiner Name	Carlic Huynh
Attorney Docket No.	J&J-102US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard
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Firm Name	RainerPrestia		
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Printed Name	Paul F. Prestia		
Date	December 15, 2006	Registration No.	23,031

CERTIFICATE OF TRANSMISSION / MAILING

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Appn. No.: 10/695,291
Response Dated December 15, 2006
Reply to Office Action of November 15, 2006

J&J-102US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. No: 10/695,291
Applicant: Hua Tang et al.
Filed: October 28, 2003
Title: PROPOFOL WITH CYSTEINE
TC/A.U.: 1617
Examiner: Carlic Huynh
Confirmation No.: 3947
Docket No.: J&J-102US

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

This is in response to the Restriction Requirement stated in the Office Letter dated **November 15, 2006**.

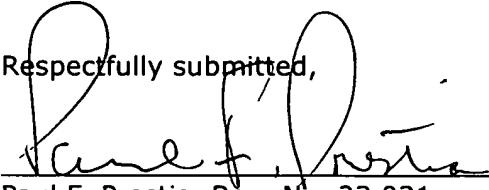
The Office Action requires the claims of either Group I (claims 1-8 and 10-17) or Group II (claim 9) be elected for prosecution. Applicants elect to prosecute Group I. Applicants' election is made without traverse.

The Office Action further requires Applicants to elect (1) a single disclosed species of an excipient; and (2) a single disclosed species of a local anesthetic for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Office Action identifies claims 4, 10-12, 14-15, and 17 as generic claims.

Applicants hereby elect (1) cysteine as an excipient; and (2) lidocaine as a local anesthetic. Applicants respectfully submit that pending claims 1-8 and 10-17 are generic to the first elected species and that claim 10 is generic to the second elected species.

Accordingly, as a result of the elections made herein, claims 1-8 and 10-17 are the claims to be considered.

Respectfully submitted,


Paul F. Prestia, Reg. No. 23,031
Phillip E. Gonzalez, Reg. No. 55,213
Attorneys for Applicants

PFP/PEG/tc
Dated: December 15, 2006

<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700	<input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2600
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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

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Todd Conway

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